

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIRGINIA MILANES, et al. :

:

Plaintiffs,

MICHAEL CHERTOFF, et al. :

:

Defendants. :

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AFFIDAVIT IN SUPPORT
OF MOTION

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COUNTY OF NEW YORK)

ss:

STATE OF NEW YORK)

I, MARGOTH PEREZ DE CHALAMPA, being duly sworn hereby depose and say:

1. I was born in Bolivia in 1976. I graduated from Universidad Catolica de Bolivia with a medical degree in 2001. I met Richard Chalampa, a United States citizen while attending the university in Bolivia. We were married in Bolivia in July 1997, and had a daughter born in 1998.

2. I entered the United States as a lawful permanent resident on July 13, 2002 with my then four year old daughter, a U.S. citizen. We currently reside in Queens.

3. On or about July 23, 2007, five years after I entered the U.S. as a lawful permanent resident, I filed an N-400 application for naturalization prior to the scheduled application fee increase. The Immigration Center at York College where I have been taking classes since 2003 helped prepare my application.

4. I received an I-797C, Notice of Action ("notice") dated September 11, 2007 from the USCIS confirming receipt of my application for naturalization.

5. I received a second notice from USCIS also dated September 11, 2007 scheduling a biometrics appointment on September 28, 2007 at the CIS Jackson Heights Application Support Center in Queens to take my fingerprints to have them cleared by the FBI. I went to the Jackson Heights Application Support Center on September 28, 2007 and was fingerprinted. See, Perez Exhibit "1".

6. Subsequent to the underlying complaint being filed on March 6, 2008, almost 8 months after I submitted my application, I received a notice from USCIS dated March 12, 2008 scheduling my interview on May 12th, 2008 at the Garden City CIS office. See, Perez Exhibit "2".

7. I understand that USCIS had announced that it would take approximately 16-18 months to process all naturalization applications, largely because of USCIS and FBI delays in completing name and background checks. I understand that there were a large number of applications submitted last year in response to citizenship drives, and from people like myself who filed before the application fees were nearly doubled.

8. I feel that these delays are very unfair, since I understood that it would take USCIS about 6 months to process applications for citizenship at the time I applied. I worry that these delays may prevent me and other applicants from being able to vote this fall.

9. I have been prejudiced by USCIS' delay in processing my naturalization application.

10. I want to vote in this fall's presidential elections and fully participate in the democratic process of the United States, my adopted country. I have been taking political science classes at York College and learning about the laws of the U.S.. I thought that by

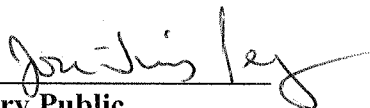
submitting my application for naturalization in July 2007 there would be more than sufficient time to become a U.S. citizen and register to vote in the 2008 presidential elections.

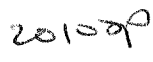
11. I currently work as a Health Coordinator for a Head Start pre-school program in East Harlem. I conduct nutrition workshops, and serve as a liaison to the parents, the majority of whom are Latino.

12. I want to apply for better paying health care positions in the government, which are only available to United States citizens. I want the stability and job opportunities that come with U.S. citizenship so that I can better support my family.


MARGOTH PEREZ DE CHALAMPA

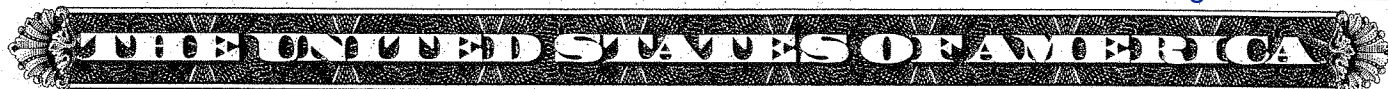
Sworn to before me this
20th day of March, 2008


Notary Public

JOSE LUIS PEREZ
Notary Public, State of New York
No. 31-4863978
Qualified in New York County
Commission Expires June 9, 2010 

Chalampa Exhibit

1



Fingerprint Notification			NOTICE DATE September 11, 2007
CASE TYPE N400 Application For Naturalization			USCIS A# A 055 596 849
APPLICATION NUMBER ESC*002005635	RECEIVED DATE July 23, 2007	PRIORITY DATE July 23, 2007	PAGE 1 of 1
APPLICANT NAME AND MAILING ADDRESS MARGOTH PEREZ DE CHALAMPA 4050 DENMAN ST APT 373 ELMHURST NY 11373 			
<p>To process your application, USCIS must take your fingerprints and have them cleared by the FBI. PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED. If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below. RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW OR FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.</p>			
APPLICATION SUPPORT CENTER CIS JACKSON HEIGHTS 63-05 ROOSEVELT AVE WOODSIDE NY 11377		DATE AND TIME OF APPOINTMENT 09/28/2007 01:00 PM BIOMETRICS PROCESSING STAMP ASC SITE CODE: <u>211</u> BIOMETRICS QA REVIEW BY: <u>[Signature]</u>	
<p>WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR FINGERPRINTS TAKEN, YOU MUST BRING:</p> <p>1. THIS APPOINTMENT NOTICE and 2. PHOTO IDENTIFICATION. Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.</p>			
<p>PLEASE DISREGARD THIS NOTICE IF YOUR APPLICATION HAS ALREADY BEEN GRANTED.</p>			
USCIS has a free booklet to help you study for the naturalization test. Ask about 'Learn About the United States: Quick Civics Lessons' when you go to have your fingerprints taken at the Application Support Center.			
REQUEST FOR RESCHEDULING			
Please reschedule my appointment for the next available: <input type="checkbox"/> Wednesday afternoon <input type="checkbox"/> Saturday afternoon			
USCIS cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to: CIS JACKSON HEIGHTS 63-05 ROOSEVELT AVE WOODSIDE NY 11377			
If you have any questions regarding this notice, please call 1-800-375-5283.		APPLICANT COPY	
APPLICATION NUMBER ESC*002005635			
WARNING! <i>Due to limited seating availability in our lobby areas, only persons who are necessary to assist with transportation or completing the fingerprint worksheet should accompany you.</i>			

Chalampa Exhibit

2



Request for Applicant to Appear for Naturalization Initial Interview			NOTICE DATE March 12, 2008
CASE TYPE N400 Application For Naturalization			USCIS A# A 055 596 849
APPLICATION NUMBER ESC*002005635	RECEIVED DATE July 23, 2007	PRIORITY DATE July 23, 2007	PAGE 1 of 1
APPLICANT NAME AND MAILING ADDRESS MARGOTH PEREZ DE CHALAMPA 4050 DENMAN ST APT 373 ELMHURST NY 11373		Please come to: US CITIZENSHIP & IMMIGRATION SERVICES 711 STEWART AVENUE CITIZENSHIP & IMMIGRATION SERVICE MAIN ROOM GARDEN CITY NY 11530 On (Date): Monday, May 12, 2008 At (Time): 08:45 AM	
<p>You are hereby notified to appear for an interview on your Application for Naturalization at the date, time, and place indicated above. Waiting room capacity is limited. Please do not arrive any earlier than 30 minutes before your scheduled appointment time. The proceeding will take about two hours. If for any reason you cannot keep this appointment, return this letter immediately to the USCIS office address listed below with your explanation and a request for a new appointment; otherwise, no further action will be taken on your application.</p> <p>If you are applying for citizenship for yourself, you will be tested on your knowledge of the government and history of the United States. You will also be tested on reading, writing, and speaking English, unless on the day you filed your application, you have been living in the United States for a total of at least 20 years as a lawful permanent resident and are over 50 years old, or you have been living in the United States for a total of 15 years as a lawful permanent resident and are over 55 years old, or unless you have a medically determinable disability (you must have filed form N648 Medical Certification for Disability Exception, with your N400 Application for Naturalization).</p> <p>You MUST BRING the following with you to the interview:</p> <ul style="list-style-type: none">• This letter.• Your Alien Registration Card (green card).• Any evidence of Selective Service Registration.• Your passport and/or any other documents you used in connection with any entries into the United States.• Those items noted below which are applicable to you: <p>If applying for NATURALIZATION AS THE SPOUSE of a United States Citizen;</p> <ul style="list-style-type: none">• Your marriage certificate.• Proof of death or divorce for each prior marriage of yourself or spouse.• Your spouse's birth or naturalization certificate or certificate of citizenship. <p>If applying for NATURALIZATION as a member of the United States Armed Forces;</p> <ul style="list-style-type: none">• Your discharge certificate, or form DD 214. <p>If copies of a document were submitted as evidence with your N400 application, the originals of those documents should be brought to the interview.</p> <p>PLEASE keep this appointment, even if you do not have all the items indicated above.</p> <p>If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.</p> <p>USCIS has a free booklet to help you study for the naturalization test. Ask about 'Learn About the United States: Quick Civics Lessons' when you go to have your fingerprints taken at the Application Support Center.</p> <p>USCIS Office Address: U.S. CITIZENSHIP AND IMMIGRATION SERVICES USCIS 7TH FLOOR ROOM 7-700 26 FEDERAL PLAZA NEW YORK NY 10278-</p> <p>USCIS Customer Service Number: (800) 375-5283</p> <p>APPLICANT COPY</p> 